

October 18, 2022

VIA ECF

Honorable Sarah L. Cave
Southern District Court of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street, New York, NY 1000

By **Thursday, October 20, 2022**, Defendants shall respond to Plaintiffs' letter-motion seeking to adjourn the settlement conference scheduled for Thursday, October 27, 2022 at 2:15 p.m. (See ECF No. 17).

SO ORDERED 10/18/22


SARAH L. CAVE
United States Magistrate Judge

Re: Kim v. Anytime Soju Inc et al., 1:22-cv-07049

Dear Judge Cave,

Our firm represents Plaintiff Jeho Kim in the above-referenced action. In accordance with the settlement conference scheduling order dated September 13, 2022, we submit this letter to request to adjourn the settlement conference.

Plaintiff filed this suit on August 18, 2022, with collective and class allegations against Defendants. Plaintiff worked as a server for the Defendants and Defendants paid him only \$40.00 a day regardless of the hours he worked.

Defendant Anytime Soju Inc operates Anytime NYC, a Korean restaurant located at 23 W. 32nd St. 3rd Floor, New York NY 10001, Anytime Karaoke located at 23 W 32nd St. 4th Floor, New York NY 10001, and Spot Karaoke & Lounge NYC located at in 34 W. 32nd St. New York NY 10001. Defendant 112 West Inc operates Anytime Bar & Billiards located at 112 W. 30th St. New York NY 10001. All the businesses are operated by the individual defendant Seunguen Jeong and his partners.

Each business sells foods and beverages and they hired many servers. All of the businesses have a high degree of interrelated and unified operations, centralized control of labor relations, common control, common business purposes, interrelated business goals, and common ownership. They have their own online presence but all of them are connected as "Sister Locations". They have common policies and practices that have been violated under the FLSA by willfully denying their employees minimum wage pay and overtime pay. Plaintiff plans to file a Motion to Certify the FLSA collective and send out FLSA Collective Notice to the collective members.

Therefore, Plaintiff requests this court to adjourn the settlement conference of October 27, 2022, since Plaintiff plans to proceed with collective and class action motions.

Respectfully submitted,

/s/Ryan J. Kim
Ryan J. Kim